



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**Brett G. Kappel, Esq.**  
**Vorys, Sater, Seymour and Pease LLP**  
**1828 L Street, Northwest**  
**Eleventh Floor**  
**Washington, DC 20036-5109**

**MAR - 9 2007**

**RE: MUR 5749**  
**Charles Hammel**

**Dear Mr. Kappel:**

On May 19, 2006, the Federal Election Commission notified your client, Charles Hammel, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to your client at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your client, the Commission, on February 21, 2007, found that there is reason to believe that Charles Hammel violated 2 U.S.C. § 441a(a)(1)(C). The Factual and Legal Analysis, which formed the basis for the Commission's findings, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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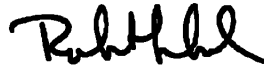
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demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact J. Cameron Thurber, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Robert D. Lenhard  
Chairman

Enclosures

Factual and Legal Analysis for Charles Hammel

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1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

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5 **RESPONDENT: Charles Hammel**

**MUR: 5749**

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7 **I. INTRODUCTION**

8 This matter was generated by a complaint filed with the Federal Election Commission  
9 ("Commission") by the Center for Responsibility and Ethics in Washington. See 2 U.S.C.  
10 § 437g(a)(1). For the reasons set forth below, the Commission finds reason to believe that  
11 Charles Hammel violated 2 U.S.C. § 441a(a)(1)(C) by making excessive contributions to GSP  
12 Consulting Corporation PAC ("GSP PAC").

13 **II. DISCUSSION**

14 **A. Facts**

15 Charles Hammel, president of a GPS Consulting Corporation ("GSP") client, admittedly  
16 contributed in excess of \$5,000 to GSP PAC, the separate segregated fund for GSP, in 2005. Joint  
17 Response at 11.<sup>1</sup> In 2005, Hammel's total contribution to GSP PAC was \$15,000.

18 The Joint Response states that "[o]n January 16, 2006, GSP PAC's assistant treasurer  
19 began to prepare the PAC's 2005 Year-End Report" and discovered the excessive contributions.  
20 Joint Response at 6-7. GSP PAC refunded \$10,000 to Hammel the next day, leaving insufficient  
21 funds for further refunds. *Id.* at 7; see GSP PAC 2006 April Quarterly Report.

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<sup>1</sup> The Joint Response to the complaint was filed on behalf of GSP, GSP PAC, Charles Hammel, and others.

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**B. Analysis**

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person may make a contribution to a political committee, which includes a separate segregated fund ("SSF"), in any calendar year, which in the aggregate, exceeds \$5,000. 11 C.F.R. § 100.5(b). Hammel admitted to making contributions exceeding \$5,000 to GSP PAC in 2005.

Therefore, there is reason to believe that Charles Hammel violated 2 U.S.C. § 441a(a)(1)(C) by making an excessive contribution to GSP Consulting Corporation PAC.